03

IN THE HIGH COURT OF JUDICATURE AT BILASPUR,
CHHATTISGARH

MISC APPEAL NO: 739 OF 2002

MISC APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT.

APPELANT : NATIONAL INSURANCE CO LTD
HO AT KOLKATA THROUGH ITS
DIVISIONAL OFFICE, BHILAI
TEHSIL & DIST. DURG
CHHATTISGARH.

P.R. No. 2089/1
Presented by Shri Preeta ali Sahu
dated 16.9.02

Versus

RESPONDENT/ CLAMAINT : CHAMPALAL DEWANGAN,
S/O SHRI DUMAN LAL DEWANGAN
RESIDENT OF KATHRO,
TEHSIL & DIST. DURG,
PRESENTLY STAYING AT QTR NO:
68 B, RISALI SECTOR,
TEHSIL & DIST. DURG
CHHATTISGARH

RESPONDENT/ OWNER & DRIVER : HORI LAL SATNAMI,
S/O JETHU SATNAMI,
RESIDENT OF MARODA,
TEHSIL AND DIST. DURG
CHHATTISGARH.

Being aggrieved against the award passed by the 6th Addl. Motor Accident Claims Tribunal in claim case No: 70/2000 dated 27.6.2002 in case of Champalal Dewangan Versus Hori Lal and Others, hence this petition.

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A. No. 739 **सन्** 2002

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	07.10.2002 Shri Sanjay K. Agrawal, counsel for the appellant.This appeal is against the interim award under no fault liability against the Insurance Company ~~as well as the owner~~. The court below has given reasons for fixing the liability. It is submitted that compliance has been made under the provisions of Section 173 of Motor Vehicles Act. Having considered the facts and circumstances and material on record, in the opinion of this Court ends of justice will be served if the appeal is disposed of with a direction that the amount shall be paid by the insurance Company and the owner shall furnish an indemnity bond/undertaking within two months before the tribunal that if the insurance company succeeds, the owner shall indemnify the liability. If the owner does not furnish the indemnity bond, the tribunal shall be at liberty to take steps including coercive steps against him. Sd/-Sajjan The amount ~~so~~ deposited shall be disbursed to the claimant ~~forth with~~ it With the direction aforesaid, this appeal and M.C.P. 1381/02 stand disposed of. C.C. as per rules. **Sd/-** **Fakhruddin** **Judge**	

Rao

GRPRJ—FS/350—12/2000—50,000.

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